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Attorney(s) for Digital Verification Systems, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**DIGITAL VERIFICATION
SYSTEMS, LLC,**

Plaintiff,

vs.

YOTI, INC.

Defendant.

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Case No. 3:22-cv-02645

PATENT CASE

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Digital Verification Systems, LLC (“Plaintiff” and/or “DVS”) files this Complaint against Yoti, Inc. (“Defendant” and/or “YOTI”) for infringement of United States Patent No. 9,054,860 (hereinafter “the ‘860 Patent”).

PARTIES AND JURISDICTION

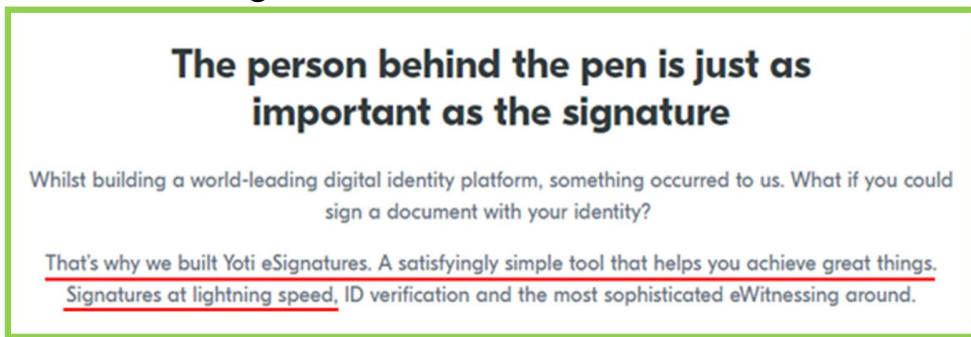
1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company located at 1 East Broward Boulevard, Suite 700, Fort Lauderdale, FL 33301.

13. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 1, of the ‘860 Patent by making, using (at least by having its employees, or someone under Defendant's control, test the accused Product), importing, selling, and/or offering for sale associated hardware and/or software for digital signature services (e.g., Yoti eSignatures), and any similar products and/or services (“Product”) covered by at least Claim 1 of the ‘860 Patent. Defendant has infringed and continues to infringe the ‘860 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

14. The Product provides a system for e-signing digital documents. The Product provides for digitally verifying the identification of a signer. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



Source: <https://www.yoti.com/business/esignatures/>

Yoti eSignatures offers the convenience and simplicity of e-signing platforms, but with the added security of biometric verification and cryptographic signatures.

Choose your level of authentication, from one-click email to full biometric authentication at no extra cost.

Source: <https://support.yoti.com/hc/en-us/articles/360003897014-What-is-Yoti-eSignatures->

1 With a traditional signature, a person signs their name in ink on a paper document
2 to indicate their agreement with its contents. An electronic signature (sometimes
3 referred to as an 'e-signature') is the equivalent process used with a digital
4 document (such as PDF file). A person can add a symbol or piece of data to a
5 digital document, and this indicates their agreement with its contents.

6 Source: <https://support.yoti.com/hc/en-us/articles/360005918193-What-is-an-electronic-signature->

7 Speed up your signing process by using Yoti Sign to send your
8 documents. Yoti Sign is perfect for all businesses that require
9 document management and signing solutions. Yoti Sign offers the
10 convenience and simplicity of e-signing platforms, but with the
11 added security of biometric verification and cryptographic signatures.
12 Choose your level of authentication, from one click email to full
biometric authentication at no extra cost.

13 Source: <https://yoti.world/yoti-sign-demo/>

14 15. The Product includes at least one digital identification module structured
15 to be associated with at least one entity. For example, the Product provides a module
16 (e.g., the creation of an e-signature module for a user) to be associated with at least
17 one entity (i.e., a user who needs to create an e-signature). Certain aspects of this
18 element are illustrated in the screenshot(s) below and/or in those provided in
19 connection with other allegations herein.
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Yoti Sign is the convenient and simple solution to your e-signing needs. It's as simple as uploading your documents and choosing who needs to sign them. You then choose where on the document you want someone to sign it and then it's ready to review and send. Whether you need a one-click email authentication or full biometric authentication, there's no extra cost.

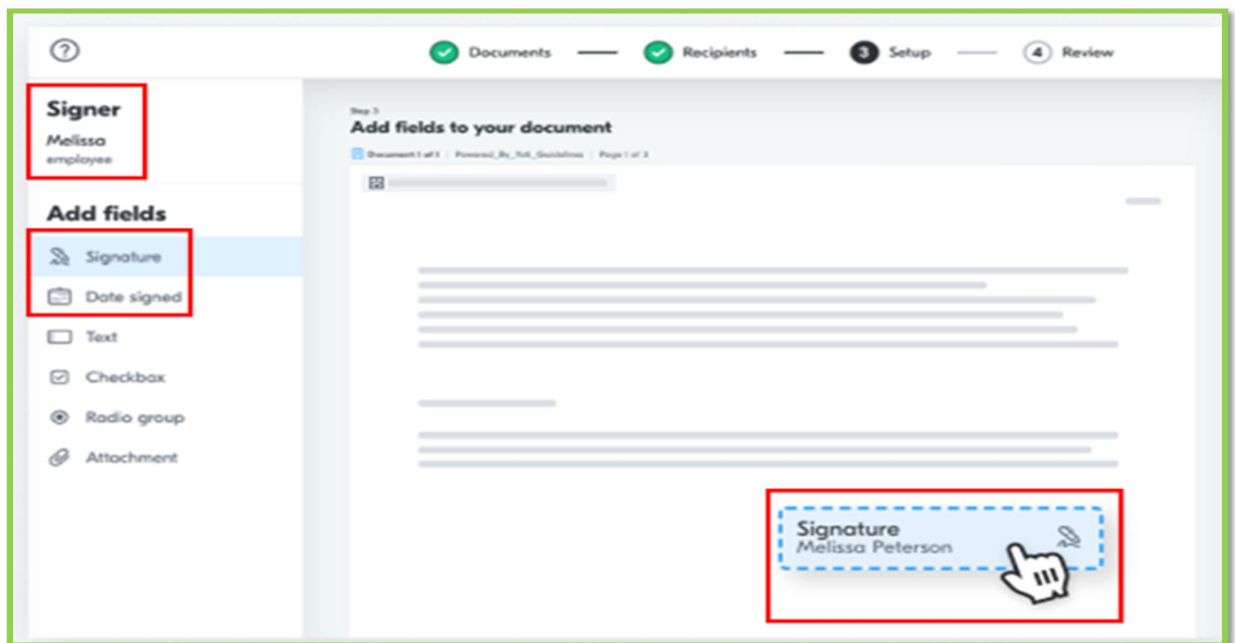
We make it easy for your clients too. Yoti sign documents can be accessed and signed through multiple devices, and through all popular browsers and operating systems. That way, signees can access your documents anywhere, at any time.

Source: <https://www.yoti.com/blog/yoti-sign-the-fast-and-simple-e-signature-platform/>

Get documents signed without the hassle

Upload your documents, add your fields and hit send. Recipients receive an email and can add their legally-binding eSignature in a matter of clicks. For those that need a slight nudge, automated reminders do the chasing so you can get on with your work.

Source: <https://www.yoti.com/business/esignatures/>



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16. The Product includes a module generating assembly structured to receive at least one verification data element corresponding to at least one entity and create said at least one digital identification module. For example, the Product includes a module generating assembly structured to receive at least one verification data element corresponding to at least one entity (e.g., a user has a unique login ID and password for accessing and verifying the account for e-signing the documents). The module generating assembly is also structured to create at least one digital identification module (e.g., creating an e-signature of a user). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

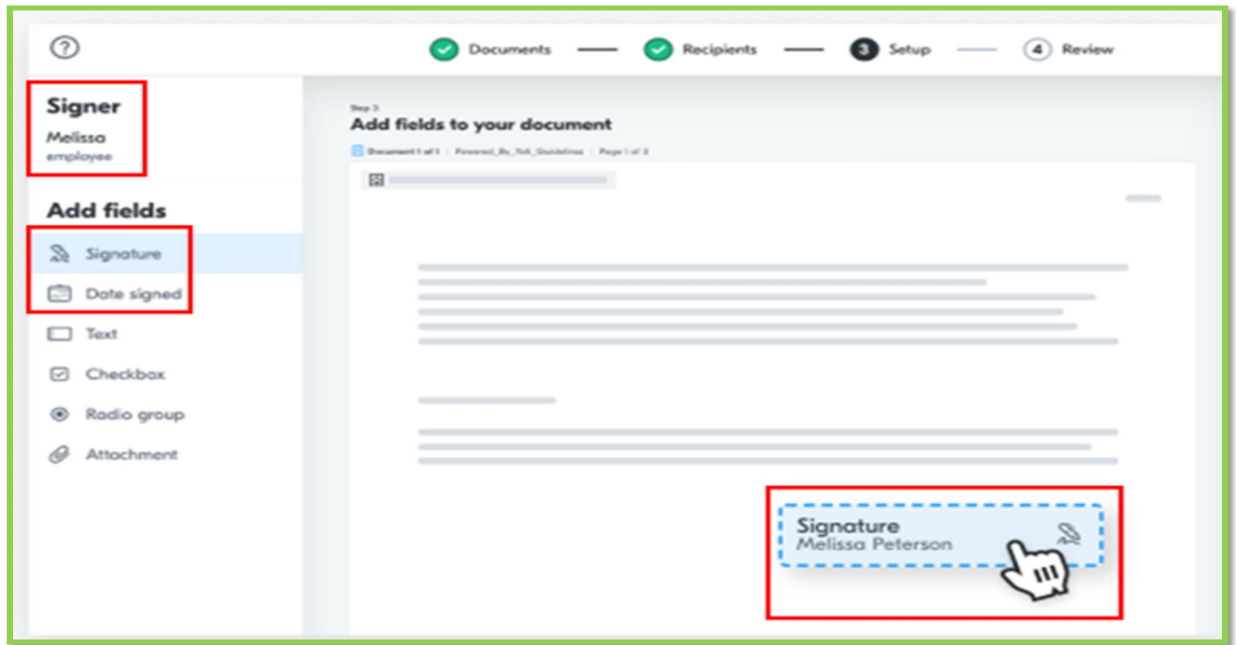
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We make it easy for your clients too. Yoti sign documents can be accessed and signed through multiple devices, and through all popular browsers and operating systems. That way, signees can access your documents anywhere, at any time.

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17. At least one digital identification module is disposable within at least one electronic file. (e.g., a user can store the e-signature within a document such as a “Bill of Landing” or in a PDF, Word doc, image file, etc.). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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Source: <https://support.yoti.com/hc/en-us/articles/360005918193-What-is-an-electronic-signature->

18. At least one digital identification module includes at least one primary component structured to associate the digital identification module at least partially with at least one entity. For example, an e-signature of a user is associated with user information including username, date, etc. to associate the digital identification module at least partially with at least one entity (e.g., an e-signature is associated with a user). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

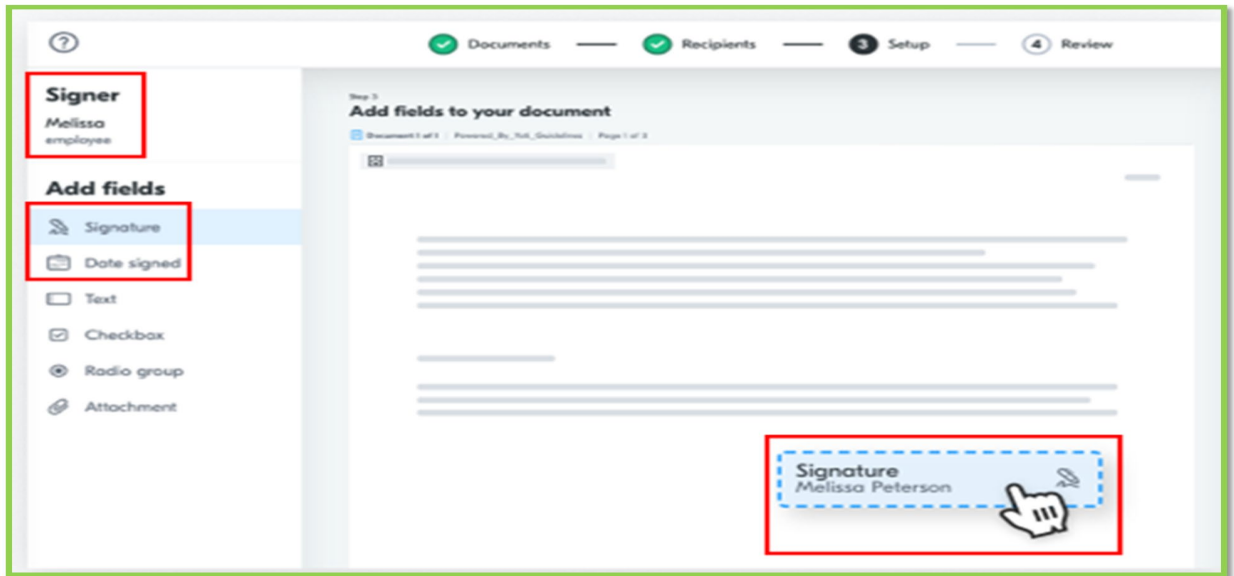
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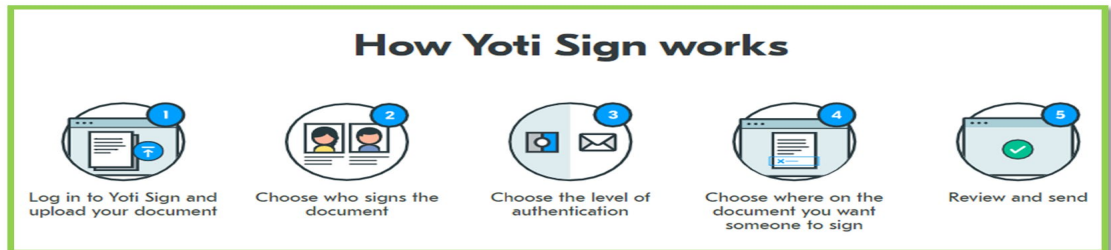
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Source: <https://www.yoti.com/business/esignatures/>

19. At least one digital identification module is cooperatively structured to be embedded within only a single electronic file. For example, the module (e-signature) is stored within a single file (such as a PDF, Word doc, image file, etc.). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



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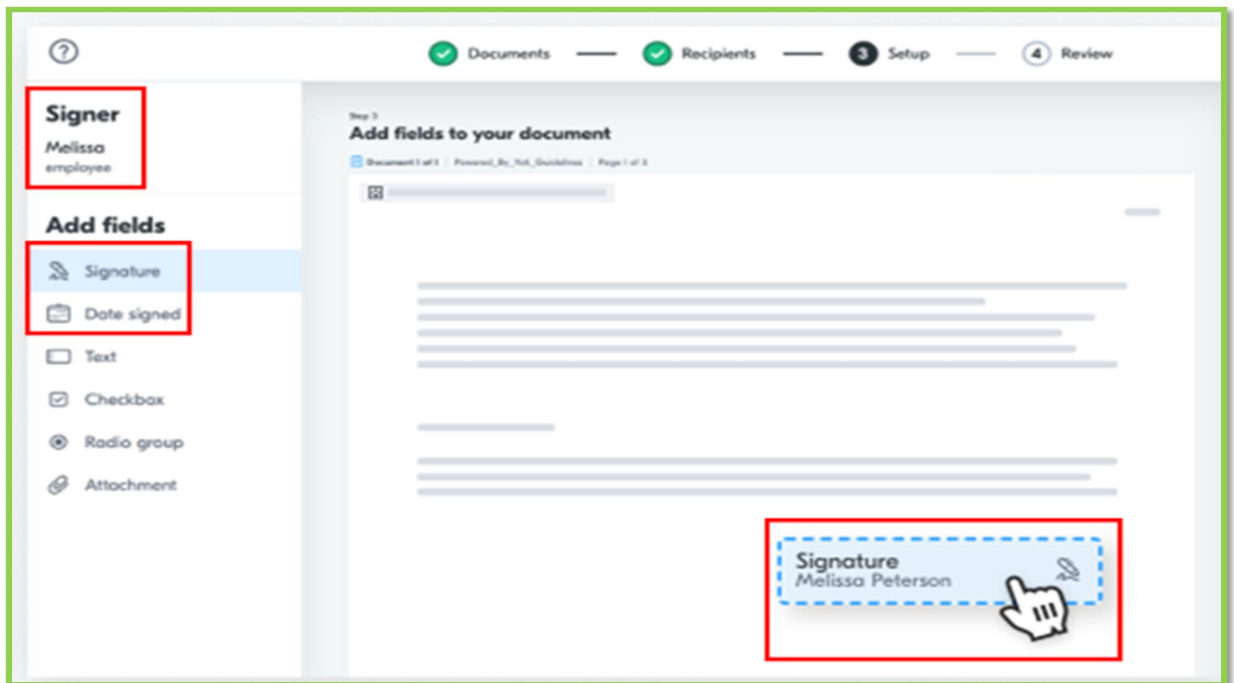
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20. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

21. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

22. Plaintiff is in compliance with 35 U.S.C. § 287.

JURY DEMAND

23. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,054,860 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: May 1, 2022

Respectfully submitted,

/s/ Stephen M. Lobbin
Attorney(s) for Plaintiff